

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GLORIA WINLAND,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. C13-5778 BHS-JRC

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 27. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The Court adopts the R&R.
- (2) The matter is REMANDED pursuant to sentence six of 42 U.S.C. § 405(g) to the Commissioner for a *de novo* hearing;
- (3) This Court retains jurisdiction over this action;
- (4) After remand, the Commissioner of Social Security shall modify or affirm the Commissioner’s findings of fact or the Commissioner’s decision, or both, and shall file with the Court any such additional or modified findings of fact and decision;

1 (5) If the outcome still is not fully favorable to Plaintiff, the Commissioner
2 shall file with the Court a transcript of the additional record and testimony
3 on which the Commissioner's action in modifying or affirming is based,
4 and plaintiff may seek judicial review by reinstating this case rather than by
5 filing a new complaint; and

6 (6) If the outcome is favorable to Plaintiff, the parties shall move this Court for
7 entry of Judgment.

8 Dated this 25th day August, 2014.

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11 BENJAMIN H. SETTLE
12 United States District Judge
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